

### **REMARKS**

Claims 1-5, as amended, are pending in this application. In this response, Applicants have amended certain claims to clarify some of the features of the present invention. In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents. As no new matter has been added, Applicants respectfully request entry of the amendments at this time.

### **THE REJECTIONS UNDER 35 U.S.C. § 103**

At pages 3-6 of the Office Action, the Examiner rejected claims 1-3 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0056017 to Gonda (“Gonda”) in view of U.S. Patent Publication No. 2002/0110087 to Zelig *et al.* (“Zelig”), and further in view of U.S. Publication No. 2001/0043603 to Yu (“Yu”). In addition, claim 4 was rejected under 35 U.S.C. § 103(a) as being obvious over Yu in view of U.S. Patent Publication No. 2002/0176450 to Kong *et al.* (“Kong”). Finally, claim 5 was rejected under § 103(a) as being obvious over Yu in view of Zelig. Applicants submit that the Examiner’s rejections have been traversed for at least the reasons that follow.

At pages 4-5 of the Office Action, the Examiner stated that Yu teaches a multiplexing part that establishes a filtering part that passes through Ethernet frames having a specific VLAN identifier among a plurality of Ethernet frames. Office Action at Pages 4-5. However, Yu’s “packet adapt function” is not the same as function of the filtering part of the present invention. Instead, Yu’s adapt function is adapting the rate of the upper layer to the rate of the lower layer. One aspect of the present invention, in contrast, filters a packet frame according to a VLAN identifier, as recited by the amended independent claims. Gonda, Zelig, and Kong similarly fail to teach or disclose this feature, either alone or in combination with Yu.

Thus, for at least these reasons, Applicants submit that the Examiner’s § 103 rejections have been overcome. As such, reconsideration and allowance of the pending claims is respectfully requested.

### CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of Time is submitted herewith extending the time for response three months to and including May 16, 2009. A fee for the Request for Continued Examination is also submitted herewith. No other fees are believed to be due at this time. Should any other fees be due, please charge them to Deposit Account No. 50-4545, Order No. 5243-002-US01.

Respectfully submitted,  
HANIFY & KING, P.C.

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By: 

Siddhesh V. Pandit, Registration No. 58,572  
HANIFY & KING, P.C.  
1875 K Street, NW  
Suite 707  
Washington, D.C. 20006  
(202) 403-2104 Telephone  
(202) 429-4380 Facsimile